

REMARKS


Suupport for the specification amendment is based on claim 4 as originally filed.

The new claims clearly distinguish over the cited Tripsas reference. In Tripsas, the field oxides are 44 and 46. Therefore, the only floating gates separated by a field oxide would be the floating gates 70 and 18 or 20 and 72. But, clearly, there is no second dielectric between the field oxide and the control gate 26. There is only one dielectric in this position and that is the inter-poly dielectric 28.

Therefore, there is no way to read claim 39 on Tripsas. As a result, reconsideration is respectfully requested.

Respectfully submitted,

Date: October 23, 2008



Timothy N. Trop, Reg. No. 28,994
TROP, PRUNER & HU, P.C.
1616 South Voss Road, Suite 750
Houston, TX 77057-2631
713/468-8880 [Phone]
713/468-8883 [Fax]

Attorneys for Intel Corporation